

Appln. No.: 09/997,391
Amendment Dated August 8, 2006
Reply to Office Action of May 11, 2006

MATP-617US

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Remarks/Arguments:

Applicant's Attorney thanks the Examiner for granting the telephone interview on July 24, 2006.

Claims 3, 4, 15 and 17-19 have been amended. No new matter is introduced herein. Claims 1-6 and 9-24 are pending.

Claim 15 has been amended for antecedent basis clarification. No new matter is introduced herein.

Applicants acknowledge with appreciation the Examiner's finding that claims 11-14 and 23 are allowable and that claims 3-4, 17-19 and 24 would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Accordingly, claims 3 and 17 have been amended to include all of the features of respective claims 1 and 15. Claim 19 has been amended to include some of the features of claim 16. Claims 3, 4, 17 and 18 have also been amended to clarify that a further portion of speech files corresponds to an identified page location. Support for these amendments can be found, for example, in paragraph [0050] of the specification. No new matter is introduced herein. Because claims 3 and 17 now include all of the limitations of the base claim and any intervening claims, these claims are now in condition for allowance. Accordingly, applicants respectfully request that the objection to claims 3 and 17 be withdrawn. Because claim 4 depends from claim 3 and claims 18, 19 and 24 depend from claim 17, which are themselves in condition for allowance, applicants respectfully request that the objection to claims 4, 18, 19 and 24 be withdrawn.

Claims 1, 2, 6 and 15 were rejected under 35 U.S.C. §103(a) as being unpatentable over Van Kommer (U.S. Pat. No. 6,678,659) in view of Guedalia (U.S. Pat. No. 6,707,891). This ground for rejection is respectfully traversed.

In particular, neither Van Kommer nor Guedalia, alone or in combination disclose or suggest:

- (f) presenting a sequence of aural prompts;

MATP-617US

Appln. No.: 09/997,391
Amendment Dated August 8, 2006
Reply to Office Action of May 11, 2006

(g) navigating through the stored speech files in the information appliance, responsive to the aural prompts, to extract a section of the stored speech files;

as required by claim 1.

Van Kommer discloses, in Fig. 1, a voice teleservice system including a centralized platform 1 which manages dialogue with the user when used as an interactive system (Col. 3, lines 54-57) and includes voice analysis means (Col. 4, lines 7-9). Network access points 2 are connected to network 4 and temporarily store voice messages transferred from platform 1 via network 4 (Col. 4, line 65 - Col. 5, line 5). Van Kommer does not disclose navigating through stored speech files in the information appliance responsive to the aural prompts as required by claim 1. The Examiner asserts, on page 3 lines 11-17 of the Office Action, that Van Kommer discloses navigating through and selecting synthesized voice messages in response to voice message system questions. Applicants respectfully disagree. Van Kommer discloses, in Col. 6, lines 8-30 that:

In the case of a bidirectional teleservice, for example an interactive teleservice allowing the user to influence the functioning of the platform 1, the **platform 1 can send a question to the user**, for example ask him exactly what information he wishes to listen to. For example, the platform 1 can send a voice message to the user asking him the name of the region to which the weather report must refer. This voice message is **transmitted in semantic form to the network access point 2**, then converted in the indicated manner into an audio signal which can be listened to by the user of the terminal 30. The **user can then respond, either by means of the keypad of the device 30, or preferably vocally.**

In the case of a **vocal response**, the network access point 2 converts, through the expedient of voice analysis means realized in the form of a information processing module executable by the processing means 20, this response into a coded message in semantic form, and **transmits this response to the platform 1**. The processing means then adopt a behavior depending upon the response, and execute an appropriate procedure depending upon the application. In the case of a teleservice for dissemination of meteorological reports, the procedure can, for example, consist in disseminating a report corresponding to the selected region.
(Emphasis Added)

Thus, Van Kommer discloses navigation of a report using communication between user 30 and platform 1 over packet transmission network 4. According to Van Kommer, platform 1 manages

MATP-617US

Appln. No.: 09/997,391
Amendment Dated August 8, 2006
Reply to Office Action of May 11, 2006

the dialogue with a user. Van Kommer is silent on navigating through stored speech files in the information appliance responsive to a sequence of aural prompts. Thus, Van Kommer does not include all the features of claim 1. This feature may represent an advantage over the cited reference as it would take less time to present the sequence of aural prompts and navigate through the stored speech files in the information appliance, responsive to the aural prompts, as required by the subject invention, than it would take to send a question to a user through the network, receive a response, also through the network, and then, depending on the response, execute an appropriate procedure as required by Van Kommer. Thus, the subject invention may present a more efficient method for navigating through stored speech files.

Van Kommer does disclose that the terminal 30 can be an intelligent terminal and that a computer can be connected to network 4. However, Van Kommer does not suggest that a computer navigates through speech files responsive to aural prompts without use of platform 1. Instead, Van Kommer discloses, in Col. 7, line 61- Col. 8, lines 15:

...The network access point 2 can even be eliminated if the terminal is capable of being directly connected to the platform 1 through the network 4. For example, in the case where the network 4 is a network of Internet type, and the platform 1 a voice server hooked up to the Internet, it is possible by means of a computer, likewise connected to the Internet, to receive voice messages coded in semantic form and disseminated by the platform 1 and to convert these coded messages into audio signals, preferably by means of a voice synthesis software preferably downloaded from the platform 1.
(Emphasis Added)

Thus, according to Van Kommer, even if a computer is connected to network 4, the platform 1 is still required for managing dialogue with the user. Therefore, Van Kommer does not disclose or suggest all of the features of claim 1.

Guedalia discloses, in Fig. 1, an email management system having an email server 110 and a voice response unit 120 that converts email messages from text to speech using converter 140 (Col. 5, lines 6-12). According to Guedalia, a user reviews a speech converted email message and records an audio reply to the email message by communicating with voice response unit 120 using a telephone connection 150. The audio reply to the email message is sent to the sender's email account or a website (Col. 5, lines 13-29). While Guedalia does disclose that the sender of the e-mail message may store an audio file of the message on his or her computer, Guedalia does not disclose navigating through the speech files in the sender's computer responsive to the aural prompts, as required by claim 1. Guedalia is silent on

Appln. No.: 09/997,391
Amendment Dated August 8, 2006
Reply to Office Action of May 11, 2006

MATP-617US

navigating through stored speech files in the information appliance or in the sender's computer responsive to a sequence of aural prompts.

Guedalia does disclose that a user can review speech converted e-mails and record audio replies to the e-mails with voice response unit 120 such that the audio replies are provided to the sender's e-mail account 160 (Col. 5, lines 20-31). However, audio replies are not stored at the user's e-mail account 210 (the user that reviews e-mails and records audio replies). Instead, the incoming e-mail is routed as a text file to the user's own e-mail account 210 (Col. 5, lines 36-41). Because speech files are not stored in the user's computer, Guedalia can not disclose or suggest navigating through stored speech files in the user's computer responsive to a sequence of aural prompts, as required by claim 1. Thus, Guedalia does not provide the material that is missing from Van Kommer.

Indeed, a skilled person having no knowledge of the subject invention and having knowledge of Van Kommer and Guedalia would not produce the subject invention as defined by claim 1. Instead, he or she would produce a system in which text files are transferred to a user and the user's system navigates the text files and employs text-to-speech processing to convert the text files into speech files. Thus, the only suggestion to modify Van Kommer and Guedalia to produce Applicant's invention comes from Applicant's disclosure. It is well settled that Applicant's disclosure can not be used against them in this manner.

To establish a prima facie case of obviousness, three basic criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference (or references when combined) must teach or suggest all the claim limitations. *The teaching or suggestion to make the claimed combination and the reasonable expectation of success must both be found in the prior art, and not based on applicant's disclosure.* (emphasis added)¹

Because Van Kommer and Guedalia, either alone or in combination, do not disclose or suggest all the features of claim 1, claim 1 is not subject to rejection under 35 U.S.C. §103(a) as being unpatentable over Van Kommer in view of Guedalia. Because claims 2 and 6 include all the limitations of claim 1 from which they depend, claims 2 and 6 are not subject to rejection under 35 U.S.C. §103(a) as being unpatentable over Van Kommer in view of Guedalia.

¹ MPEP §706.02(j)

Appln. No.: 09/997,391
Amendment Dated August 8, 2006
Reply to Office Action of May 11, 2006

MATP-617US

The ground for rejection to claim 15 is respectfully traversed. Although not identical to claim 1, claim 15 includes features similar to claim 1 that are neither disclosed nor suggested, either alone or in combination, by Van Kommer or Guedalia. Namely:

an information appliance comprising:

... a processor coupled to the modem for (a) communicating on the network, (b) periodically receiving speech files from the network, (c) storing the speech files in the memory device and (d) providing a sequence of aural navigation prompts;

a receiver for accepting input commands from a remote control, the input commands entered responsive to the sequence of aural navigation prompts;

an audio speaker configured with the processor to present the sequence of aural navigation prompts; and

the processor responsive to the input commands accepted by the receiver for (a) extracting a portion of the speech files stored in the memory device and (b) sending the extracted portion of the speech files to the audio speaker

as required by claim 15. Van Kommer and Guedalia are described above. Neither Van Kommer, Guedalia nor their combination disclose or suggest an information appliance having the recited structure for navigating through stored speech files in the information appliance responsive to a sequence of aural prompts. Because neither Van Kommer, Guedalia nor their combination, disclose or suggest all of the limitations of claim 15, claim 15 is not subject to rejection under 35 U.S.C. §103(a) as being unpatentable over Van Kommer in view of Guedalia.

Claim 16 and 21-22 were rejected under 35 U.S.C. §103(a) as being unpatentable over Van Kommer in view of Guedalia and further in view of Hong et al. (U.S. Pat. No. 5,737,030). Claims 16 and 21 include all the limitations of claim 15 from which they depend and claim 22 includes all of the features of claim 1 from which it depends. These claims are patentable over Van Kommer and Guedalia for the same reasons as claims 1 and 15.

Hong et al. does not provide the deficiencies of Van Kommer and Guedalia because it does not disclose or suggest "navigating through the stored speech files in the information appliance, responsive to the aural prompts, to extract a section of the stored speech files," as required by claim 1 or "an information appliance comprising: ... a receiver for accepting input

MATP-617US

Appln. No.: 09/997,391
Amendment Dated August 8, 2006
Reply to Office Action of May 11, 2006

commands from a remote control, the input commands entered responsive to a sequence of aural navigation prompts; an audio speaker configured with the processor to present the sequence of aural navigation prompts; and the processor responsive to the input commands accepted by the receiver for (a) extracting a portion of the speech files stored in the memory device and (b) sending the extracted portion of the speech files to the audio speaker " as required by claim 15.

Hong et al. include an electronic program device which allows a user to watch a program image as well as a character guide. In Hong et al., the programming guide text may be applied to a voice synthesizer to be reproduced using speakers (Col. 7, lines 1-16). Hong et al. further do not present a sequence of aural prompts and navigate through stored speech files in the electronic program device responsive to the aural prompts and, thus, can not include a processor configured to perform these functions.

The cited art, taken singularly or in combination do not disclose or suggest all the features of claim 1 or 15. Accordingly, claims 16 and 21-22, which include all of the features of respective claim 15 and 1 from which they depend are also not subject to rejection under 35 U.S.C. §103(a) as being unpatentable over Van Kommer in view of Guedalia and further in-view of Hong et al.

Claim 5 was rejected under 35 U.S.C. §103(a) as being unpatentable over Van Kommer in view of Guedalia and further in view of Oh (U.S. Pat. No. 6,141,642). Claim 5, however, includes all the limitations of claim 1 from which it depends and is patentable over Van Kommer and Guedalia for at least the same reasons as claim 1.

Oh does not provide the deficiencies Van Kommer and Guedalia because it does not disclose or suggest navigating through stored speech files in the information appliance responsive to a sequence of aural prompts, as required by claim 1.

Oh discloses a multiple language text-to-speech processing apparatus that is used to convert multiple language text to audio wave data (Col. 1, line 55 - Col. 2, line 5). Oh does not suggest presenting a sequence of aural prompts and navigate through stored speech files in an information appliance responsive to the aural prompts.

MATP-617US

Appln. No.: 09/997,391
Amendment Dated August 8, 2006
Reply to Office Action of May 11, 2006

The cited art, taken singularly or in combination does not disclose or suggest all the features of claim 1. Accordingly, claim 5, which includes all of the features of claim 1 from which it depends is also not subject to rejection under 35 U.S.C. §103(a) as being unpatentable over Van Kommer in view of Guedalia in further in view of Oh.

Claim 9 was rejected under 35 U.S.C. §103(a) as being unpatentable over Van Kommer in view of Guedalia and further in view of Cannon et al. (U.S. Patent No. 6,510,209). Claim 9, however, includes all of the limitations of claim 1 from which it depends and is patentable over Van Kommer Guedalia and Cannon et al. for at least the same reasons as claim 1.

The Cannon et al. patent does not provide the deficiencies that Van Kommer and Guedalia because it does not disclose or suggest navigating through stored speech files in the information appliance responsive to a sequence of aural prompts, as required by claim 1.

The invention of Cannon et al. allows a user to program a VCR when away from the house via a telephone which has been adapted for programming the VCR (Col. 3, lines 20-40). Cannon et al. do not disclose navigating through stored speech files in an information appliance responsive to a sequence of aural prompts, where the stored speech files in the information appliance have been transmitted from the remote location.

The cited art taken singularly or in combination do not disclose or suggest all of the features of claim 1. Accordingly, claim 9, which includes all the features of claim 1 is not subject to rejection under 35 U.S.C. §103(a) as being unpatentable over Van Kommer in view of Guedalia and further in view of Cannon et al.

Claim 10 was rejected under 35 U.S.C. §103(a) as being unpatentable over Van Kommer in view of Guedalia and further in view of Stephens (U.S. Pat. No. 6,557,026). Claim 10, includes all the limitations of claim 1 from which it depends and is not subject to rejection under 35 U.S.C. § 103(a) in view of Van Kommer and Guedalia for at least the same reasons as claim 1, as described above.

Stephens does not provide the deficiencies of Van Kommer and Guedalia because it does not disclose or suggest navigating through stored speech files in the information appliance responsive to a sequence of aural prompts, as required by claim 1.

MATP-617US

Appln. No.: 09/997,391
Amendment Dated August 8, 2006
Reply to Office Action of May 11, 2006

Stephens discloses a notice system 200, in figure 2, that allows a client 204 to periodically pull news from data sources 218, 220 and 222 that do not push stories to a client 204 (Col. 10, lines 1-4). Client 204 generates a news page that is automatically refreshed as a function of the arrival of new stories (Column 9, lines 51-56). Although Stephens discloses that client 204 and remote services 216 can each include a TTS engine 208 and 226, respectively (Col. 9, lines 56-62), Stephens does not suggest that text files are converted and stored as speech files at remote services 216. Stephens further does not suggest that a requested portion of the speech files are extracted from the remote location. Stephens, instead, pushes or pulls new stories from data sources. Stephens further does not disclose or suggest navigating through stored speech files in the client 204 responsive to a sequence of aural prompts. Stephens, instead, automatically refreshes a news page with the arrival of new stories.

The cited art, taken singularly or in combination do not disclose or suggest all the features of claim 1. Accordingly, claim 10, which includes all the features of claim 1 from which it depends is also not subject to rejection under 35 U.S.C. §103(a) as being unpatentable over Van Kommer in view of Guedalia and in further view of Stephens.

Claim 20 was rejected under 35 U.S.C. §103(a) as being unpatentable over Van Kommer in view of Guedalia, in view of Hong et al, in further view of Oh. Claim 20, however, includes all the limitations of claim 15 from which it depends and is patentable over Van Kommer and Guedalia for at least the same reasons of claim 15.

Hong et al. and Oh are described above. Neither Hong et al., Oh nor their combination make up for the deficiencies of Van Kommer and Guedalia because they do not disclose or suggest 1) a processor coupled to a network through a modem which periodically receives speech files from the network, 2) that a receiver accepts input commands from a remote control that are entered responsive to a sequence of aural navigation prompts or 3) that the processor extracts a portion of the speech files stored in the memory device responsive to the input commands accepted by the receiver, as required by claim 15.

The cited art, taken singularly or in combination do not disclose or suggest all of the features of claim 15. Accordingly, claim 20, of which includes features of claim 15 from which it


MATP-617US

Appln. No.: 09/997,391
Amendment Dated August 8, 2006
Reply to Office Action of May 11, 2006

depends is also not subject to rejection under 35 U.S.C. §103(a) as being unpatentable over Van Kommer in view of Guedalia, in view of Hong et al., and further in view of Oh.

In view of the forgoing remarks, Applicants respectfully requests that the Examiner reconsider and withdraw the objection of claims 3, 4, 17-19 and 24 and the rejection of claims 1, 2, 5, 6, 9, 10, 15, 16, and 20-22.

Respectfully submitted,


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August 9, 2006


Patricia C. Boccella

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